

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**CHARLESTON DIVISION**

FREIDA PERRY,

Plaintiff,

v.

CIVIL ACTION NO. 2:12-cv-05037

BOSTON SCIENTIFIC CORPORATION,

Defendant.

**ORDER**

It is **ORDERED** that the court's Order entered September 26, 2012 [ECF 14] is **VACATED**.

Pending is the plaintiff's Motion to Transfer MDL, filed on September 24, 2012. [ECF 13.] On July 12, 2012, plaintiff originally filed a long form complaint against Johnson & Johnson and others and later filed an Amended Complaint. [ECF 1, 4.] On September 24, 2012, plaintiff filed a Short Form Complaint against Boston Scientific Corporation only. [ECF 12.]

Because the plaintiff has no longer named Johnson & Johnson or related entities in 2327 and because Boston Scientific Corporation is the only defendant named, it is **ORDERED** that the plaintiff's Motion [ECF 13] is **GRANTED**, and this action should be transferred to MDL 2326, In re Boston Scientific Corp., Pelvic Repair System Products Liability Litigation. The Clerk is instructed to disassociate the above-referenced civil action as a member case in MDL 2327 and re-assign it to MDL 2326 on the basis of the plaintiff's Short Form Complaint.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: September 27, 2012



Joseph R. Goodwin, Chief Judge